IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 20028 of 2007(H)

PETITIONER:
---

1. SANTHOSH BABU,
   S/O.THANKAPPAN PILLAI, THATTANVILAKAM HOUSE,
   PATTOM P.O., THIRUVANANTHAPURAM.

2. SAJIMON,
   S/O.THANKAPPAN,
   KOTTARAPPARAMBIL HOUSE, CHANGANASSERI P.O.,
   KOTTAYAM DISTRICT.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:
---

1. THE DISTRICT SUPERINTENDENT OF POLICE,
   PATHANAMTHITTA.

2. THE SUB INSPECTOR OF POLICE,
   ARANMULA.

3. PRASAD,
   S/O.DAMODARAN,
   PADHALIL, LAKSHMVEEDU COLONY, NELLIKKALA P.O.,
   KARUVELY, MALLAPUZHASSERY VILLAGE.

4. SUSHAMA PRASAD,
   W/O.PRASAD, -DO-.

5. PRASANTH,
   S/O.PRASAD, -DO-.

6. BINU,
   S/O.NARAYANAN,
   -DO-

7. RAVI,
   S/O.JANAMMA, THUNDIYIL PARAYIL VEEDU,
   NELLIKKALA P.O., KARUVELLY,
   MALLAPUZHASSERY VILLAGE.

8. SAJI,
   S/O.MOHANAN,
   -DO-

9. VIJAYAN,
   PUTHUPARAMBIL VEEDU,
   EDAPARIYARAM P.O.,
   ELANTHOOR VILLAGE.

10. GEETHA VIJAYAN,
    W/O.VIJAYAN, -DO-.

11. THE CIRCLE INSPECTOR OF POLICE,
    KOZHENCHERRY.

12. ASSISTSANT EXCISE COMMISSIOINER, PATHANAMTHITTA.

R1, R2, R11 & R12 BY GOVT.PLEADER SRI P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & K. HEMA,JJ.

W.P.(C).NO.20028 OF 2007 H

Dated this the 4th day of July, 2007

JUDGMENT

Raman, J.

Petitioners have obtained licences for vending toddy in an auction conducted by the Excise Department. Exts.P1 and P2 respectively are copies of the licence issued to the petitioners. It is alleged that respondents 3 to 10 are causing physical obstruction and threatened the petitioners that they will plant illicit arrack near the shop of the petitioners and will falsely implicate in some abkari cases. Petitioners preferred a complaint before Police; but in the absence of any effective protection granted, petitioners have preferred this writ petition. We issued notice to respondents 3 to 10 by special messenger. Service is complete. None has entered appearance and filed any counter affidavit.

2. The learned Government Pleader appearing on behalf of respondents 1 and 2 would submit that the obstructors were called to the police station and they were severely warned and there is

no obstruction caused. The same is recorded. In the circumstances, this writ petition is disposed of as follows:

3. In case there is any future threat or obstruction caused in the matter of conducting business by the petitioners in the licenced premises and in accordance with the licence conditions and so long as the licences are not interdicted by any orders passed by any statutory authorities or any court of law, such obstructions shall be removed as and when it is reported to the Police.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.